

THE HON'BLE SRI JUSTICE M.VENKATESWARA REDDY

WRIT PETITION NO.10999 OF 2003

DT.05-07-2006

Between:

Vodela Rajeswara Rao and 4 others

.. Petitioners

A n d

The Municipal Commissioner,
Kothagudem Municipality,
Kothagudem Town, Khammam District
and another.

... Respondents

THE HON'BLE SRI JUSTICE M.VENKATESWARA REDDY

WRIT PETITION NO.10999 OF 2003

ORDER:

This writ petition is filed with the following prayer:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon’ble Court may be pleased to issue order or direction or a writ more particularly one in the nature of writ of Mandamus declaring the action of the respondents in interfering with the petitioners business of selling vegetables by the side of road margins at Chinna Bazar Vegetable Market Centre at Kothagudem, Khammam District, is illegal, arbitrary and contrary to the public opinion and against the principles of natural justice consequently directing the respondent not to interfere with our above said business while we are doing so at the above said center and pass such other order or orders as this Hon’ble Court may deem fit and proper in the interest of justice and equity. Else we suffer irreparable loss and injury.”

The counter filed by the respondent reveals that a rythu bazaar was constructed spending lakhs of rupees for the convenience of vegetable vendors and the petitioner has not shifted his business to the said rythu bazaar.

Interim directions were granted by this Court in W.P.M.P.No.13741 of 2003 on 13-06-2003.

The respondents have right to regulate the business. The petitioner cannot be permitted to sell vegetables on the road margins causing obstruction to the traffic and inconvenience to the public. He is not clothed with any vested right. Writ petition is liable to be dismissed.

Accordingly, the writ petition is dismissed. No costs.

Date: 05-07-2006.

M.VENKATESWARA REDDY,J

Lrkm.